

REFERENCE TITLE: veterinarians; licensure exceptions

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SB 1555

Introduced by
Senator Flake

AN ACT

AMENDING SECTIONS 32-2201 AND 32-2211, ARIZONA REVISED STATUTES; RELATING TO
VETERINARIANS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-2201, Arizona Revised Statutes, is amended to
3 read:

4 32-2201. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "ACUPRESSURE" MEANS APPLYING PRESSURE TO SPECIFIC POINTS TO PROMOTE
7 OPTIMUM ENERGY FLOW.

8 2. "ALTERNATIVE COMPLIMENTARY THERAPY" MEANS ACUPRESSURE, ANIMAL
9 COMMUNICATION, AROMATHERAPY, FLOWER ESSENCE THERAPY, HANDS-ON HEALING,
10 HOMEOPATHY, LIGHT THERAPY, MAGNET THERAPY, MASSAGE THERAPY AND NUTRITIONAL
11 COUNSELING.

12 ~~1.~~ 3. "Animal" means any animal other than human.

13 4. "ANIMAL COMMUNICATION" MEANS INTERPRETING THE THOUGHTS OF AN
14 ANIMAL.

15 5. "AROMATHERAPY" MEANS INHALING, INGESTING OR TOPICALLY APPLYING
16 ESSENTIAL AROMATIC OILS FROM PLANTS TO PROMOTE GOOD HEALTH.

17 ~~2.~~ 6. "Board" means the Arizona state veterinary medical examining
18 board.

19 ~~3.~~ 7. "Consulting" means providing professional or expert advice
20 which is requested by a veterinarian licensed in this state and is rendered
21 only on a specific case basis.

22 ~~4.~~ 8. "Controlled substance" means any substance which is registered
23 and controlled under the federal controlled substances act (P.L. 91-513).

24 ~~5.~~ 9. "Cremation" means the heating process that reduces animal
25 remains to bone fragments by combustion and evaporation.

26 ~~6.~~ 10. "Crematory" means a building or portion of a building that is
27 licensed pursuant to article 8 of this chapter and that houses a retort in
28 which only animal remains are cremated.

29 ~~7.~~ 11. "Diplomate" means a veterinarian certified as a specialist in
30 a particular discipline by a national specialty board or college recognized
31 by the American veterinary medical association after the completion of
32 additional education and training, an internship or residency, passing
33 required examinations and meeting any other criteria required by the various
34 individual national specialty boards or colleges.

35 12. "FARRIER" MEANS A PERSON WHO TRIMS OR PLACES SHOES ON THE HOOVES
36 OF A HORSE.

37 13. "FLOWER ESSENCE THERAPY" MEANS INGESTING DISTILLED EXTRACTS FROM
38 FLOWERS TO ENHANCE EMOTIONAL HEALTH.

39 ~~8.~~ 14. "Gross incompetence" means any professional misconduct or
40 unreasonable lack of professional skill in the performance of professional
41 practice.

42 ~~9.~~ 15. "Gross negligence" means treatment of a patient or practice of
43 veterinary medicine resulting in injury, unnecessary suffering or death that
44 was caused by carelessness, negligence or the disregard of established
45 principles or practices.

1 16. "HANDS-ON HEALING" MEANS LAYING HANDS ON THE BODY TO CHANNEL
2 ENERGY.

3 17. "HOMEOPATHY" MEANS USING PLANT, MINERAL OR OTHER SUBSTANCES IN
4 MINUTE, DILUTED AMOUNTS TO STIMULATE SELF-HEALING.

5 ~~10-~~ 18. "Letter of concern" means an advisory letter to notify a
6 veterinarian that, while there is insufficient evidence to support
7 disciplinary action, the board believes the veterinarian should modify or
8 eliminate certain practices and that continuation of the activities that led
9 to the information being submitted to the board may result in action against
10 the veterinarian's license.

11 ~~11-~~ 19. "Licensed veterinarian" means a person who is currently
12 licensed to practice veterinary medicine in this state.

13 20. "LIGHT THERAPY" MEANS SHINING RED AND INFRARED LIGHT ON THE BODY TO
14 PROMOTE ENERGY FLOW AND CIRCULATION.

15 21. "MAGNET THERAPY" MEANS USING MAGNETS TO CREATE A MAGNETIC FIELD
16 THAT INCREASES CIRCULATION, OXYGEN UTILIZATION AND ENERGY FLOW.

17 ~~12-~~ 22. "Malpractice" means treatment in a manner contrary to accepted
18 practices and with injurious results.

19 23. "MASSAGE THERAPY" MEANS THE HANDS-ON WORK OF THE SOFT TISSUES OF AN
20 ANIMAL'S BODY BY RUBBING, KNEADING, PRESSING, ROLLING, SLAPPING AND TAPPING
21 TO ACHIEVE RELAXATION OR STIMULATION OF MUSCLES RESULTING IN THE INCREASE OF
22 CIRCULATION, NERVE SUPPLY AND CELL ACTIVITY.

23 ~~13-~~ 24. "Medical incompetence" means lacking sufficient medical
24 knowledge or skills, or both, to a degree likely to endanger the health of
25 patients or lacking equipment, supplies or medication to properly perform a
26 procedure.

27 ~~14-~~ 25. "Negligence" means the failure of a licensed veterinarian to
28 exercise reasonable care in the practice of veterinary medicine.

29 26. "NUTRITIONAL COUNSELING" MEANS OFFERING ADVICE ABOUT NUTRITION.

30 ~~15-~~ 27. "Regularly" means that veterinary services are offered to the
31 public once a month or more frequently.

32 ~~16-~~ 28. "Responsible veterinarian" means the veterinarian responsible
33 to the board for compliance by licensed veterinary premises with the laws and
34 rules of this state and of the federal government pertaining to the practice
35 of veterinary medicine and responsible for the establishment of policy at
36 such premises.

37 ~~17-~~ 29. "Temporary sites" means sites where outpatient veterinary
38 services are performed.

39 ~~18-~~ 30. "Twenty-four hour services" means veterinary services when a
40 veterinarian is on the premises twenty-four hours a day.

41 ~~19-~~ 31. "Veterinarian" means a person who has received a doctor's
42 degree in veterinary medicine from a college of veterinary medicine.

43 ~~20-~~ 32. "Veterinary college" means any veterinary college or division
44 of a university or college that offers the degree of doctor of veterinary

1 medicine or its equivalent and that conforms to the standards required for
2 accreditation by the American veterinary medical association.

3 ~~21-~~ 33. "Veterinary medicine" includes veterinary surgery, obstetrics,
4 dentistry, acupuncture, manipulation and all other branches or specialties of
5 veterinary medicine and the prescribing, administering or dispensing of drugs
6 and medications for veterinary purposes.

7 Sec. 2. Section 32-2211, Arizona Revised Statutes, is amended to read:

8 32-2211. Exceptions from application of chapter

9 This chapter shall not apply to:

10 1. A commissioned veterinary medical officer of the United States
11 armed services, or employees of the animal disease eradication division of
12 the United States department of agriculture.

13 2. A person treating an animal belonging to himself or his employer
14 while in the regular service of such employer, or the animal of another
15 without compensation therefor. Animals consigned by their legal owner for
16 feeding or care to consignment livestock operations shall be considered to be
17 the property of the consignee.

18 3. A licensed veterinarian of another state or foreign country
19 consulting with a licensed veterinarian in this state.

20 4. A veterinary student regularly enrolled in the final half of the
21 veterinary curriculum in any veterinary college approved by the American
22 veterinary medical association and working under the direct and personal
23 instruction, control or supervision of a licensed veterinarian, if such
24 student's compensation is paid solely by such veterinarian. Such student may
25 perform those acts of health care that are assigned by the veterinarian
26 having responsibility for the care of the animal. The student is not
27 permitted to perform anesthesia or surgery unless the student is directly
28 assisting the supervising licensed veterinarian who is performing the
29 anesthesia or surgery.

30 5. A veterinary assistant employed by a licensed veterinarian
31 performing duties other than diagnosis, prognosis, prescription or surgery
32 under the direction and supervision of such veterinarian who shall be
33 responsible for such assistant's performance.

34 6. EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH, AN ALTERNATIVE
35 COMPLIMENTARY THERAPY PRACTITIONER. AN ALTERNATIVE COMPLIMENTARY THERAPY
36 PRACTITIONER SHALL COMPLY WITH SECTION 32-2231, SUBSECTION A, SHALL PROVIDE
37 THE OWNER OF THE ANIMAL TO BE TREATED WITH A WRITTEN STATEMENT SUMMARIZING
38 THE NATURE OF THE SERVICES TO BE PROVIDED AND SHALL OBTAIN A SIGNED
39 ACKNOWLEDGEMENT FROM THE OWNER THAT THE OWNER ACCEPTS THE SERVICES TO BE
40 PROVIDED.

41 7. A FARRIER.